



Ifw

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | | |
|-----------------------------------------------------------------------------------------|----------------------|------------------------|--------------|
| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 10/584,115 | |
| | Filing Date | June 23, 2006 | |
| | First Named Inventor | Malcolm BROWN | |
| | Art Unit | | |
| | Examiner Name | | |
| Total Number of Pages in This Submission | | Attorney Docket Number | 39262/330604 |

| ENCLOSURES (check all that apply) | | | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) (Figure 2) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Form PTO/SB/08 (02 sheets) 2. 10 publications | | |
| <table border="1"><tr><td>Remarks</td><td></td></tr></table> | | | Remarks | |
| Remarks | | | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--------------------------------------------|---------------------------------------|--|--|
| Firm or Individual name | Elena S. Polovnikova, Reg. No. 52,130 | | |
| Signature | | | |
| Date | 5/17/07 | | |

| CERTIFICATE OF MAILING | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|------|---------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | |
| Typed or printed name | Angela M. Rossi | | |
| Signature | | Date | 5/17/07 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Malcolm BROWN
SERIAL NO.: 10/584,115 Group Art Unit:
FILED: June 23, 2006 EXAMINER:
FOR: TUNABLE SEGMENTED POLYACETAL

ATTORNEY DOCKET NO. 39262/330604

DATE: 5/16/07

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with Rules 56, 97 and 98 of the Rules of Practice in Patent Cases (37 C.F.R. §§ 1.56, 1.97, and 1.98), the publications listed on the modified Form PTO/SB/08 are cited for consideration by the Examiner. Copies of the non-U.S. patent documents and other literature are submitted with this paper.

Submission of the references provided in this Information Disclosure is not intended to constitute an admission that any reference referred to herein is prior art for this invention unless specially designated as such. Also, in accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

This Information Disclosure Statement is being filed pursuant to 37 C.F.R. 1.97(b), before issuance of a first Office action on the merits. Applicant believes that no fee is due for

submission and consideration of this paper. The Commissioner is authorized to charge any fees associated with this filing or credit any overpayment to Deposit Account No. 11-0855.

Respectfully submitted,

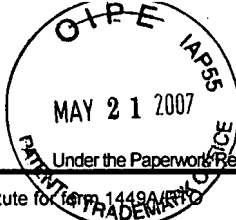
A handwritten signature in black ink, appearing to read 'Elena S. Polovnikova', written over a horizontal line.

Elena S. Polovnikova, Ph.D.

Reg. No. 52,130

Agent for Applicant

KILPATRICK STOCKTON LLP
Suite 2800, 1100 Peachtree Street
Atlanta, Georgia 30309-4530
(404) 815-6500



PTO/SB/08A (10-01)

Van Zile, et al. Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for Form 1449A (Rev. 10/01)

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

| | |
|------------------------|---------------|
| Application Number | 10/584,115 |
| Date Filed: | June 23, 2006 |
| First Named Inventor | Malcolm BROWN |
| Group Art Unit | |
| Examiner Name | |
| Attorney Docket Number | 39262/330604 |

U.S. PATENT DOCUMENTS

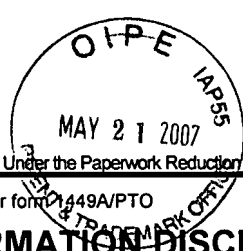
| Examiner Initials* | Cite No. ¹ | Document Number | Publication Date MM-D/D-YYYY/ | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|-----------------------------------------------|----------------------------------|----------------------------------------------------|---------------------------------------------------------------------------------|
| | | Number - Kind Code ² (if known) | | | |
| | | US-4,950,258 | 08-21-1990 | Kawai, et al. | |
| | | US-4,990,161 | 02-1991 | Kampner | |
| | | US-5,049,591 | 09-17-1993 | Hayashi, et al. | |
| | | US-5,201,771 | 04-13-1993 | Belykh, et al. | |
| | | US-5,376,120 | 12-1994 | Sarver, et al. | |
| | | US-5,458,653 | 10-1995 | Davidson | |
| | | US-5,571,193 | 11-1996 | Kampner | |
| | | US-5,571,204 | 11-05-1996 | Nies | |
| | | US-5,935,172 | 08-1999 | Ochoa, et al. | |
| | | US-5,997,580 | 12-07-1999 | Mastorrio, et al. | |
| | | US-6,077,989 | 06-2000 | Kandel, et al. | |
| | | US-6,281,262 B1 | 08-28-2001 | Shikinami | |
| | | US-6,425,923 | 07-2002 | Stalcup, et al. | |
| | | US-2002/0160032 A1 | 10-31-2002 | Long, et al. | |
| | | US-2003/0045941 | 03-2003 | Lewalien | |
| | | US-6,605,090 | 08-12-2003 | Trieu, et al. | |
| | | US-2003/0236573 | 12-2003 | Evans, et al. | |
| | | US-2004/0019386 | 01-2004 | Ferree | |
| | | US-6,827,743 | 12-2004 | Eisermann, et al. | |
| | | US-2004/0260398 A1 | 12-23-2004 | Kelman | |
| | | US-2005/0107886 A1 | 05-19-2005 | Crabtree, et al. | |
| | | US-6,908,466 B1 | 06-21-2005 | Bonutti, et al. | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document | Publication Date MM-DD-YYYY | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁸ |
|--------------------|-----------------------|----------------------------------------------------------------------------------------|--------------------------------|-------------------------------------------------------|------------------------------------------------------------------------------------------|----------------|
| | | Country Code ³ - Number ⁴ - Kind Code ⁵ (if known) | | | | |
| | | DE 42 20 216 C1 | 01-13-1994 | Germany | | Abstract |
| | | EP 0 711 534 A1 | 05-15-1996 | Europe | | Abstract |
| | | EP 0 321 389 A1 | 06-21-1989 | Europe | | Abstract |
| | | 0 595 956 | 05-11-1994 | Europe | | |
| | | EP 0 815 809 B1 | 03-10-2004 | DePuy Products, Inc. | | |
| | | WO 93/01773 | 02-04-1993 | Mikhail | | |
| | | WO 2004/071356 A2 | 08-26-2004 | Smith & Nephew, Inc. | | |

Examiner
SignatureDate
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 2

Complete if Known

| | |
|------------------------|---------------|
| Application Number | 10/584,115 |
| Date Filed: | June 23, 2006 |
| First Named Inventor | Malcolm BROWN |
| Group Art Unit | |
| Examiner Name | |
| Attorney Docket Number | 39262/330604 |

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

| Examiner Initials * | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
|------------------------|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| | | Pitto, et al., "Comparison of Fixation of the Femoral Component without Cement and Fixation with Use of a Bone-Vacuum Cementing Technique for the Prevention of Fat Embolism During Total Hip Arthroplasty," <i>J. Bone Joint Surg.</i> , 81-A(6):831-843 (1999) | |
| | | Tagil, "Thesis - The morselized and impacted bone graft Animal experiments on proteins, impaction and load," <i>Acta Orthop. Scand. Suppl.</i> , 290:1-40 (2000) | |
| | | Temenoff and Mikos, "Injectable biodegradable materials for orthopedic tissue engineering," <i>Biomaterials</i> , 21:2405-2412 (2000) | |

Examiner
Signature

Date
Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.